

**CITY COUNCIL MEETING  
CITY OF WATERTOWN  
August 18, 2014  
7:00 p.m.**

**Mayor Jeffrey E. Graham Presiding**

**Present:** Council Member Roxanne M. Burns  
Council Member Joseph M. Butler, Jr.  
Council Member Stephen A. Jennings  
Council Member Teresa R. Macaluso  
Mayor Graham

**Also Present:** Sharon Addison, City Manager  
Robert J. Slye, City Attorney

**City staff present:** Jim Mills, Ken Mix, Kurt Hauk, Erin Gardner, Amy Pastuf, Amie Davis, Beth Morris, Michael Sligar, David Wurzburg, Peter Monaco, Fire Chief Herman, Deputy Fire Chief Randall, Police Chief Donoghue, Margaret Waggoner

The City Manager presented the following reports to Council:

- Resolution No. 1 - Approving a Site Plan for the Construction of a 572 Square Foot Building Addition, Plus a 5,094 Square Foot Parking Area, at 912 Arsenal Street, Parcel 8-05-102
- Resolution No. 2 - Approving a Site Plan for the Construction of an Approximately 3,400 Square Foot Car Wash and Dog Wash, Plus Parking Lot and Landscaping, at 800-804 Bradley Street, Parcels 1-09-201 and 1-09-202
- Resolution No. 3 - Adopting Guidelines and Administrative Procedures for the Housing Improvement Program
- Resolution No. 4 - Accepting Bid for Flower Memorial Library Boiler Replacement, G.S. Hanley, LLC
- Resolution No. 5 - Approving Agreement for Bulk Rental of Ice Time at the Watertown Municipal Arena, Watertown Minor Hockey Association
- Resolution No. 6 - Accepting Bid for Trickle Arms for the Wastewater Treatment Plant, Ovivo, LLC
- Ordinance No. 1 - An Ordinance Authorizing the Issuance of \$600,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of Replacement of the Trickling Filter Distributor Assemblies at the Wastewater Treatment Plant, in and for Said City
- Ordinance No. 2 - Amending City Municipal Code § A320, Fees
- Mayor Graham's letter to the U.S. Army Environmental Command
- Request for School Speed Zone
- Price Quotations: Newell Street Deck Repair
- Barben Green Subdivision Street Dedication
- 10<sup>th</sup> Mountain Division Memorial Proposal

**Complete Reports on file in the office of the City Clerk**

Meeting opened with a moment of silence. Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of August 4, 2014 was dispensed and accepted as written by motion of Council Member Roxanne M. Burns, seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof.

## **COMMUNICATIONS**

No Communications.

## **PRIVILEGE OF THE FLOOR**

**Patrick Donegan**, Alexandria Bay, owner of the Watertown City Center Project on Arsenal Street, addressed the chair looking for an update on the status of the expansion of Western Boulevard. He indicated that he is concerned whether the City will follow through on the road because he had heard rumors that the City is worried about the cost of the road. He reminded Council that nine years ago a large portion of his project was annexed into the City of Watertown. He said part of the discussions at that time were that the City would do this road through Stateway Plaza along with upgrades to the sewer system in order to handle a project of this magnitude. He noted that he agreed to the annex in exchange for the road and sewer upgrades, however, the sewer was done but not the road. He pointed out that the businesses on the annexed portion created about 390 jobs which results in \$5-6 million in payroll and produced \$4 million in County sales tax, \$2 million in property taxes and approximately \$1.2 million in bed tax. Noting that he has developed about 90% of his property up to where the current road stops, he said that he has marketed the northern vacant lot but the question of the road still remains.

Mayor Graham stated that the City Manager will be updating Council regarding this in executive session and the City is trying to move ahead with this.

**S.G. Gates**, 157 Dorsey Street addressed Council stating that he has made progress this week with the Dog Park by meeting with City Manager Addison and Council Member Butler. He said that he also has scheduled meetings with Council Member Jennings and Council Member Macaluso.

## **RESOLUTIONS**

### **Resolution No. 1 - Approving a Site Plan for the Construction of a 572 Square Foot Building Addition, Plus a 5,094 Square Foot Parking Area, at 912 Arsenal Street, Parcel 8-05-102**

#### **Introduced by Council Member Joseph M. Butler, Jr.**

WHEREAS Cole Investment Group has submitted an application for site plan approval for the construction of a 572 square foot building, plus 5,094 square foot parking area, at 912 Arsenal Street, parcel 8-05-102, and

WHEREAS pursuant to General Municipal Law § 239-m, the Jefferson County Planning Board reviewed the request on July 29, 2014 and determined that the project has no county-wide or inter-municipal issues, and is of local concern only, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on August 5, 2014, and voted to recommend that the City Council of the City of Watertown approve the site plan with the following conditions:

- 1) The applicant shall increase the slope down to the drywells to improve drainage.
- 2) The applicant shall depict proposed contours on the grading plan.

- 3) The applicant shall provide a detail for the proposed drywells, and for the perforated storm sewer pipe trench.
- 4) The applicant shall revise the drawings so that all title blocks show the correct project location.
- 5) The applicant shall provide at least one copy of the site plan submittal with original stamps and signatures by a licensed PE, RA, or PLS as appropriate.

And

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is an Unlisted Action and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed construction and site plan constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Code Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Code Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that site plan approval is hereby granted for the construction of a 572 square foot building addition, plus 5,094 square foot parking area, at 912 Arsenal Street, parcel 8-08-102, as depicted on the plans submitted to the City Engineer on July 11, 2014, subject to the conditions recommended by the Planning Board and listed above.

**Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.**

**Resolution No. 2 - Approving a Site Plan for the Construction of an Approximately 3,400 Square Foot Car Wash and Dog Wash, Plus Parking Lot and Landscaping, at 800-804 Bradley Street, Parcels 1-09-201 and 1-09-202**

**Introduced by Council Member Stephen A. Jennings**

WHEREAS Anthony Doldo has submitted an application for site plan approval for the construction of an approximately 3,400 square foot car wash and dog wash, plus parking lot and landscaping, at 800-804 Bradley Street, parcels 1-09-201 and 1-09-202, and

WHEREAS pursuant to General Municipal Law § 239-m, the Jefferson County Planning Board

reviewed the request on July 29, 2014 and determined that the project has no county-wide or inter-municipal issues, and is of local concern only, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on August 5, 2014, and voted to recommend that the City Council of the City of Watertown approve the site plan with the following conditions:

- 1) The applicant shall clarify site vehicle circulation, and depict paint and signage for any one-way drive lanes or driveways.
- 2) Curb cuts shall be rebuilt to city standards.
- 3) The applicant shall provide an asphalt pavement detail for the parking lot.
- 4) The applicant shall replace all substandard sidewalk sections to meet city specifications. The Burdick Street survey monument must not be disturbed, and a letter stating as such must be submitted by a PLS to the Engineering Department.
- 5) The applicant shall depict proposed grading on the drainage plan, and the location of roof leaders, if any.
- 6) The Engineering Report shall be revised to illustrate the drainage area for each dry well, and include calculations to show that each dry well is appropriately sized for at least a 10-year storm.
- 7) The applicant shall delete dimension text, survey bearings and notes, and other extraneous information from C-101 for improved readability.
- 8) The proposed water service shall be labeled as 2" Type K Copper, and depicted with a darker line style.
- 9) The applicant shall add the following note to the utility plan: "All water main and service work must be coordinated with the City of Watertown Water Department. The Water Department requirements supersede all other plans and specifications provided."
- 10) The applicant shall label the sanitary main connection in Burdick Street as SDR-35 PVC Wye 8"x8"x6".
- 11) A sanitary sewer lateral connection detail must be provided on the detail sheet.
- 12) The applicant shall depict overhead utility removal on the demolition plan, and delete removed lines from the site development plans.
- 13) The applicant shall depict or describe the electric service for the buildings, lights, and other site features.
- 14) The applicant shall increase the size of the landscaped area by 5' along Bradley Street to accommodate the planting of two large maturing deciduous trees per the Landscaping and Buffer Zone Guidelines.
- 15) The applicant shall plant one large maturing deciduous tree between the proposed sign and the building and two small maturing trees on the south side of the building.
- 16) The applicant shall provide a planting schedule that depicts the botanical name and common name of each tree and shrub species, their sizes and quantities along with tree and shrub planting details.
- 17) The applicant shall provide at least one wet-stamped copy of the site plans, by a licensed PE or RA, and at least one copy of the boundary and topographic survey wet-stamped by a PLS.

- 18) The applicant shall revise the street labels for better readability.
- 19) The site boundary shall be darkened on the site plan for clarity. The bearings and survey notes shall be deleted from the site plans.
- 20) The applicant shall differentiate the line styles of the water, sanitary, storm, gas, and electric services to improve clarity.
- 21) The applicant shall provide a cut sheet for the vacuum stands.
- 22) The applicant shall provide copies of all correspondence with NYSDOT regarding the driveway improvements on Bradley Street.
- 23) The applicant shall revise the drawings as recommended in these conditions to the greatest extent possible prior to consideration of the plans by City Council.

And

WHEREAS the applicant submitted a revised site plan on August 13, 2014 that addresses most of the conditions recommended by the Planning Board except conditions # 2, 4, 5, 6, 7, 13, 21 and 22, and

WHEREAS the City Council, on August 4, 2014, determined that the project, as submitted, is an Unlisted Action and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that site plan approval is hereby granted for the construction of an approximately 3,400 square foot car wash and dog wash, plus parking lot and landscaping, at 800-804 Bradley Street, parcels 1-09-201 and 1-09-202, as depicted on the revised plans submitted to the City Engineer on August 13, 2014, subject to the applicant meeting conditions # 2, 4, 5, 6, 7, 13, 21 and 22 recommended by the Planning Board and listed above, and

BE IT FURTHER RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Code Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Code Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval.

**Seconded by Council Member Teresa R. Macaluso**

Prior to the vote on the foregoing resolution, Council Member Butler questioned condition #16 concerning a planting schedule depicting the botanic name and common name of each tree and shrub species and asked if this much detail is normally required.

Kenneth Mix, Planning Coordinator replied that it is in all the site plans and noted that this condition has been met.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 3 - Adopting Guidelines and Administrative Procedures for the Housing Improvement Program**

**Introduced by Council Member Stephen A. Jennings**

WHEREAS the City of Watertown has received Small Cities Community Development Block Grant funding from the New York State Office of Community Renewal (OCR) to implement a local Housing Improvement Program, and

WHEREAS the City has agreed to administer that program in compliance with rules and regulations established by the U.S. Department of Housing and Urban Development and published in the Code of Federal Regulations at 24 CFR Part 570, and

WHEREAS Guidelines and Administrative Procedures have been drafted to govern the operation of the Housing Improvement Program,

NOW THEREFORE BE IT RESOLVED that the Guidelines and Administrative Procedures for the City of Watertown's Housing Improvement Program are hereby adopted and shall become effective immediately.

**Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.**

**Resolution No. 4 - Accepting Bid for Flower Memorial Library Boiler Replacement, G.S. Hanley, LLC**

**Introduced by Council Member Roxanne M. Burns**

WHEREAS the City Purchasing Department has advertised and received sealed bids for the Flower Memorial Library Boiler Replacement Project, per our specifications, and

WHEREAS invitations to bid were issued to Northern New York and Syracuse Builders Exchange and the Dodge Reports, with eleven (11) sets of bid specifications sent to area contractors, with three (3) sealed bids received and publicly opened and read in the City Purchasing Department on Tuesday, August 12, 2014, at 11:00 a.m., and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bids received with the Engineering Department, and it is their recommendation that the City Council accept the bid submitted by G.S. Hanley, LLC,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by G.S. Hanley, LLC as the lowest qualifying bidder for the Flower Memorial Library Boiler Replacement Project, per our specifications, in the amount of \$111,683.00, and

BE IT FURTHER RESOLVED that the City Manager, Sharon Addison, is hereby authorized and directed to sign all contracts associated with implementing the award to G.S. Hanley, LLC.

**Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.**

**Resolution No. 5 - Approving Agreement for Bulk Rental of Ice Time at the Watertown Municipal Arena, Watertown Minor Hockey Association**

**Introduced by Council Member Teresa R. Macaluso**

WHEREAS the City of Watertown owns and operates an Arena at the Alex T. Duffy Fairgrounds, and

WHEREAS the Watertown Minor Hockey Association expressed their desire to enter into an Agreement for bulk rental of ice time at the Fairgrounds Arena to support their programs, and

WHEREAS City Council of the City of Watertown desires to promote recreational activities at this community recreational facility,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby approves the Agreement for Bulk Rental of Ice Time at the Watertown Municipal Arena between the City of Watertown and the Watertown Minor Hockey Association, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute said Agreement on behalf of the City of Watertown.

**Seconded by Council Member Joseph M. Butler, Jr.**

Prior to the vote on the foregoing resolution, Mayor Graham noted that staff recommended an amendment to page two and three of the contract in order to list the time on Saturday until 6:50 p.m. instead of 7:15 p.m.

**Motion was made by Council Member Roxanne M. Burns to amend the page two and three of the contract attached to the foregoing resolution in order to list the time on Saturday until 6:50 p.m. instead of 7:15 p.m. Motion was seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.**

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 6 - Accepting Bid for Trickle Arms for the Wastewater Treatment Plant, Ovivo, LLC**

**Introduced by Council Member Stephen A. Jennings**

WHEREAS the City Purchasing Department has advertised and received sealed bids for Trickle Arms for the Wastewater Treatment Plant, per our specifications, and

WHEREAS invitations to bid were issued to Northern New York and Syracuse Builders Exchange and the Dodge Reports, with five (5) sets of bid specifications requested by area contractors, with two (2) sealed bids received and publicly opened and read in the City Purchasing Department on Wednesday, July 30, 2014, at 11:00 a.m., and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bids received with the Engineering Department, and it is their recommendation that the City Council accept the bid submitted by Ovivo, LLC,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by Ovivo, LLC as the lowest qualifying bidder for Trickle Arms for the Wastewater Treatment Plant, per our specifications, in the amount of \$579,545.00, and

BE IT FURTHER RESOLVED that approval of this resolution is contingent upon approval of the Bond Ordinance to finance the project, and

BE IT FURTHER RESOLVED that the City Manager, Sharon Addison, is hereby authorized and directed to sign all contracts associated with implementing the award to Ovivo, LLC.

**Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.**

**Resolution – Approving Resolution Standing Up for Fort Drum and the 10<sup>th</sup> Mountain Division**

**Introduced by Council Member Joseph M. Butler, Jr.**

WHEREAS Senator Patty Ritchie led a bipartisan group of 85 lawmakers from all corners of the state in support of Fort Drum, and

WHEREAS the City of Watertown wish to add their support of Fort Drum and the 10<sup>th</sup> Mountain Division,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby approves the Resolution introduced by Senator Patty Ritchie, which is attached and made part of this Resolution, as Standing Up for Fort Drum and the 10<sup>th</sup> Mountain Division.

**Seconded by Council Member Teresa R. Macaluso**

**Rules waived by Motion of Council Member Roxanne M. Burns, seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.**

Prior to the vote on the foregoing resolution, Mayor Graham explained that this was at the request of Senator Patty Richie's office to approve a resolution that other municipalities are also approving so that she can put it in a package in an effort to influence the government regarding Fort Drum.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**ORDINANCES**

**Ordinance No. 1 - An Ordinance Authorizing the Issuance of \$600,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of Replacement of the Trickling Filter Distributor Assemblies at the Wastewater Treatment Plant, in and for Said City**

**Introduced by Council Member Teresa R. Macaluso**

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and



WHEREAS, it is now desired to authorize the financing of such capital project; NOW,  
THEREFORE,

BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the replacement of the trickling filter distributor assemblies at the wastewater treatment plant, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$600,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$600,000 and that the plan for the financing thereof is by the issuance of the \$600,000 bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a

full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the City Comptroller. Such notes shall be of such terms, form and contents as may be prescribed by said City Comptroller consistent with the provisions of the Local Finance Law.

Section 9. The City Comptroller is hereby further authorized, at his or her sole discretion, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The intent of this resolution is to give the City Comptroller sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes, without resorting to further action of the City Comptroller.

Section 11. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of its City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 12. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 14. This ordinance, which takes effect immediately, shall be published in summary in the Watertown Daily Times the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**Seconded by Council Member Stephen A. Jennings**

**Motion for unanimous consent moved by Council Member Teresa R. Macaluso, seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.**

**At the call of the chair, a vote was taken on the foregoing ordinance and carried with all voting yea.**

**Ordinance No. 2 - Amending City Municipal Code § A320, Fees**

**Introduced by Council Member Stephen A. Jennings**

BE IT ORDAINED that Section A320-4 of the City Code of the City of Watertown is amended to read as follows:

§ A320-4. Schedule of Fees.

B. Municipal Fairgrounds facility fees shall be established and enforced as follows. Reserving the use of the Municipal Fairgrounds facilities by any group may be obtained by scheduling in advance with the City's Parks and Recreation Department and in payment of the appropriate fee as described below to the City Comptroller in advance of the reserve time use unless otherwise stipulated in an agreement between the user and the City. Nothing in this section shall prohibit the City from entering into an agreement for the use of the Municipal Arena, at rates other than the rates described below. However, any such agreement shall require the approval of the City Council.

(6) There shall be no charge for Watertown and IHC Schools and Jefferson Community College to use City-owned fields for practice. Field assignments will be at the discretion of the Parks and Recreation Superintendent for her/his designee;

and,

BE IT FURTHER ORDAINED that this amendment shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

**Seconded by Council Member Teresa R. Macaluso**

**Motion for unanimous consent moved by Council Member Stephen A. Jennings, seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof**

**At the call of the chair, a vote was taken on the foregoing ordinance and carried with all voting yea.**

## **STAFF REPORTS**

### **Mayor Graham's letter to the U.S. Army Environmental Command**

Mayor Graham explained that this letter is part of the process of responding to a worst case scenario for Fort Drum.

### **Request for School Speed Zone**

Council agreed to support this request for a school zone sign in front of Benchmark Family Services and asked staff to present an ordinance at the next meeting.

### **10<sup>th</sup> Mountain Division Memorial Proposal**

Mayor Graham introduced Colonel Michael Plummer and asked him to inform Council about the committee and the proposal for a monument honoring the 10<sup>th</sup> Mountain Division.

Col. Plummer explained that a group of North Country citizens formed a committee to develop an event recognizing the sacrifices of the soldiers of Fort Drum and their family members in conjunction with the 30<sup>th</sup> anniversary of the reactivation of the 10<sup>th</sup> Mountain Division as well the 70<sup>th</sup> anniversary of the Victory in Italy, Europe and Japan and the end of World War II. He further explained that this committee decided to raise funds in order to erect a monument of four granite slabs (7' X 10' X 1') depicting the history of the 10<sup>th</sup> Mountain Division and involvement of missions such as WWII, Hurricane Andrew, Iraqi Freedom and Enduring Freedom. He noted that the 4<sup>th</sup> slab would be left blank for the 50<sup>th</sup> anniversary reactivation of the 10<sup>th</sup> Mountain Division. He assured Council that there would be no cost to the City and said the goal is to have this completed in May of 2015 to go along with the Armed Forces Day Parade. He discussed locations and indicated that Thompson Park made the most sense because of the use of the park by families.

Mayor Graham said that this is a new topic for Council noting that it is a laudable goal but everyone has their own ideas and suggestions that might go beyond what the committee has. Mentioning that the committee had thought of rebuilding the playground at Thompson Park for dedication, Mayor Graham said that it may be a more organic way of illustrating the relationship with the army.

Col. Plummer said that the advocates for the playground argued that it would have a higher value to families but a hard object monument won out because it was more traditional and a lower maintenance cost.

Council Member Burns commented that she is very interested in this and agreed that it is a very laudable goal but she needs to give it more thought.

Mayor Graham said that there are pluses and minuses to a variety of locations for a hard monument but he thought the suggestion of the playground was extremely more interactive. He remarked that if it is going to be a hard monument that it needs to be at the best location in terms of traffic and visibility. Regarding making a decision, Mayor Graham said he is not sure that Council can do that tonight and may need more dialogue with the group either individually or collectively.

Council Member Butler commented that it is a great plan but noted that it is the tax payers' park so he needs to ensure that it is the best location that will be accessible, protected and viewable. He expressed concerns with vandalism adding that most of the monuments are in fairly high traffic areas such as downtown.

Col. Plummer replied that vandalism was a factor that was looked at and it was decided that the chances of vandalism were equal at any location.

Council Member Butler asked if there would be any legal problems given the fact that it is parkland.

Attorney Slye said that the City is not conveying any interest of the property and the question is whether this body is in a position to declare by resolution that this is a valid public purpose for the use of the public park.

**Price Quotations: Newell Street Deck Repair**

Mayor Graham said that he cannot see spending \$33,000 on something that cannot be used because of the constraints that are placed upon it.

Council Member Macaluso asked if there was any grant money that could be used to repair the deck.

Attorney Slye informed Council that he received a letter (on file in the City Clerk's Office) today from the Department of State (DOS) agreeing with the City's most recent proposal in connection with the use of the deck.

Mayor Graham stated that the proposal was for the City to lease the deck to Maggie's and asked if there were restrictions on it.

Attorney Slye said that the DOS has agreed to allow the restaurant to use the deck until 1:00 a.m. even though the park closes at 9:00 p.m.

Council Member Burns said that this subject has been talked about for years and she was prepared to deny support of spending money for the deck repairs. However, she said that she now needs time to read this letter from the DOS before making a decision.

Council discussed the repairs needed and the timeframe of these repairs.

Council Member Macaluso asked if the deck could be torn down.

Attorney Slye explained that the DOS could declare the City in breach of the agreement because they contributed monies to the project. He further explained that if it was destroyed by a natural disaster and condemned to the point that it needed to come down, he does not think that the State would come after the City.

Mayor Graham stated that Council needs more time to review this letter.

**Barben Green Subdivision Street Dedication**

Council Member Burns noted that the memo states that Code Enforcement and Engineering has received numerous complaints from property owners in the last eighteen months. She said that she would like to see what the complaints were and from which property owners before she moves forward with this.

Mayor Graham commented that he thinks that there have been a lot of water complaints due to the construction of the house across the street. He added that noise due to excavating has been a concern as well.

Council Member Butler asked what types of complaints have been received.

Kurt Hauk, City Engineer discussed some of the concerns stating that some are not formal written complaints.

Council asked that a report of all the concerns be presented at the next meeting.

### **NEW BUSINESS**

#### **Water Street Complaint**

Council Member Butler indicated he received a call regarding a complaint on Water Street in which he referred to Mr. McWayne in the Code Enforcement Office. He noted that Mr. McWayne will review some of the properties taken by the City to see if they can be rehabilitated or if they need to be knocked down.

#### **10<sup>th</sup> Mountain Division Monument**

Council Member Butler thanked Col. Plummer for speaking tonight. He said that he supports this project noting that the details can be worked out because it is a great tribute to the Fort Drum community.

#### **CSX Property Complaint**

Mayor Graham said that he received a letter from the Netto family complaining about the condition of the CSX property. He referred it to the City Manager for review.

**Motion was made by Council Member Roxanne M. Burns to move into Executive Session to discuss pending, threatened or proposed litigation and collective bargaining.**

**Motion was seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.**

Council moved into Executive Session at 7:52 p.m. Council reconvened at 8:48 p.m.

### **ADJOURNMENT**

**At the call of the chair, meeting was duly adjourned at 8:48 p.m. until August 25, 2014 at 7:00 p.m. by motion of Mayor Jeffrey E. Graham, seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.**

Ann M. Saunders, City Clerk